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**GERARDO CABANILLAS**

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

GERARDO CABANILLAS,

Plaintiff,

v.

CITY OF SOUTH GATE et al.

Defendants.

Case No.: 2:24-cv-08027-ODW-BFM

**APPLICATION TO COURT FOR  
ENTRY OF DEFAULT**

Under Federal Rule of Civil Procedure 55(a) and L.R. 55-1, Plaintiff Gerardo Cabanillas applies to the court for entry of default judgment against Defendants John Navarrette and Anthony Porter. In support of this application, Plaintiff submits the concurrently filed Declaration of Alison R. Leff and states as follows:

1           1.     Plaintiff filed this lawsuit on September 19, 2024, naming as  
2 defendants the City of South Gate, the City of Huntington Park, and several  
3 current and former employees of those municipalities. ECF No. 1.

4           2.     Plaintiff served summons and a copy of the complaint on Defendant  
5 John Navarrette on October 18, 2024, and he served Anthony Porter on October  
6 20, 2024. ECF No. 52 (Navarrette); ECF No. 53 (Porter).

7           3.     Each Defendants' answer was due 21 days after service. Fed. R. Civ.  
8 P. 12(a)(1)(A)(i).

9           4.     The date for these Defendants' answer to the complaint has passed,  
10 yet neither defendant has answered, otherwise pled, or sought an extension. Leff  
11 Decl. ¶ 7.

12          5.     "When a party against whom a judgment for affirmative relief is  
13 sought has failed to plead or otherwise defend, and that failure is shown by  
14 affidavit or otherwise, the clerk must enter the party's default." Fed. R. Civ. P.  
15 55(a).

16          6.     Here, Defendants Navarrette and Porter have failed to plead or  
17 otherwise defend. Leff Decl. ¶¶ 7-8.

18          7.     These Defendants are therefore in default, and Plaintiff requests that  
19 the court enter a default for each of them.

20 Dated: November 13, 2024

Respectfully submitted,

21  
22 **LOEVY & LOEVY**

23 **SCHONBRUN SEPLOW HARRIS**  
24 **HOFFMAN & ZELDES, LLP**

25 By: /s/ Alison R. Leff

26 Alison R. Leff

27 *Attorney for Plaintiff*  
28 *GERARDO CABANILLAS*